

PATENT
24729-7096
(271/054)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
N. Parker Willis et al.) Group Art Unit: 3737
Serial No.: 09/128,304) Examiner: Eleni M. Mantis Mercadier
Filed: June 6, 2001)
For: **A DYNAMICALLY ALTERABLE**)
THREE-DIMENSIONAL)
GRAPHICAL MODEL OF A)
BODY REGION)

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TECHNOLOGY CENTER R3700

RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This letter is response to the Office Action mailed November 4, 2002. Claims 1-60 remain pending and have not been amended. Based on the following remarks, reconsideration and allowance of this application is respectfully requested.

Claims 1-60 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,662,108 to Budd et al. ("Budd"). Without acquiescence that Budd is a §102(e) prior art reference, and without prejudice to antedate this reference should it become necessary, Applicants make the following comments. Applicants respectfully traverse the rejections of claims 1-60, since Budd does not disclose each and every element required by these claims.

Specifically, all of the independent claims require the three-dimensional model to be deformed. In contrast, Budd merely discloses that a model of the heart chamber wall can be

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generated. Applicants cannot find any disclosure in Budd related to the deformation of a three-dimensional model, as required by the claims. If the Examiner believes otherwise, the Examiner is requested to specifically point out such a disclosure in Budd. The Examiner is further requested to point out the many other elements that are required by the claims, including the dependent claims, that do not appear to be disclosed in Budd.

Based on the foregoing, all claims are believed to be allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (213) 680-6400.

Respectfully submitted,

Bingham McCutchen LLP

Dated: 12/18/02

By:



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